

REMARKS

Claims 21-53 were presented for examination and were pending in this application. In the Office Action dated November 29, 2005, claims 31-38 and 46-48 were rejected, and claims 21-30, 39-45, and 49-53 were allowed. Claims 31, 32, and 46 are amended herein. No new matter is added by this amendment.

Summary of Substance of Interview

The Examiner is thanked for the helpful telephone interview on January 5, 2005. The participants of the telephone interview were Examiner Nga N. Nguyen and the Applicants' representative Jae Won Song (Ltd. Rec. No. L0203). Claims 31, 32, and 46 were discussed during the interview together with the cited references, including U.S. Patent No. 5,291,543 ("Freese") and U.S. Patent No. 5,893,077 ("Griffin").

The Examiner explained that, while Freese and Griffin do not disclose or suggest accounting records of a user's Internet connection service usage of a network of the local Internet service provider where the user does not have an account with the local Internet service provider but has an account with the home Internet service provider, as variously recited in independent claims 31, 32, and 46, these claims 31, 32, and 46 variously recite claim limitations such as "for receiving," "for generating," and "for storing" that can be allegedly construed to cover an "intended use."

The Examiner agreed that the following amendments to claims 31, 32, and 46 would remove such intended use and would render claims 31-38 and 46-48 allowable:

In claim 31: change "server for settling" to --server settling--

change "a loader for receiving" to --a loader receiving--

change “a filter … to generate” to --a filter … generating --

In claim 32: change “server for settling” to --server settling--

change “a loader for receiving” to --a loader receiving--

change “raw records database … for storing” to --raw records database

… storing--

change “a filter … to generate” to --a filter … generating --

change “roaming history database … for storing” to --roaming history

database … storing--

change “reporting module … for generating” to --reporting module …

generating --

In claim 46: change “server for settling” to --server settling--

change “reporting module … for generating” to --reporting module …

generating --

Rejection of Claims 31-38 under 35 U.S.C. §103(a)

In paragraph 5 of the Office Action, claims 31-38 were rejected as being obvious over U.S. Patent No. 5,291,543 (“Freese”) in view of U.S. Patent No. 5,893,077 (“Griffin”). This rejection is respectfully traversed.

1. Accounting Records of Usage of the Network of the Local Internet Service Provider

Independent claims 31 and 32 variously recite:

“accounting records of a user’s Internet connection service usage of a network of the local Internet service provider, the local Internet service provider operated independently from the home Internet service provider of the user, the user not having an account with the

local Internet service provider but having an account with the home Internet service provider and connecting to the Internet via the local Internet service provider.”

Freese merely discloses that the roam clearing house receives roam cellular telephone call records via an automatic dial-up telephone connection. *Freese, col. 8, lines 6-10.* However, nowhere does Freese disclose or even suggest the concept of accounting records for the user’s Internet connection service usage of the network of the local Internet service provider where the user does not have an account with the local Internet service provider but has an account with the home Internet service provider. Also, as agreed in the interview with the Examiner, claims 31 and 32 are amended herein to remove the “for ...” language that could allegedly be construed as an intended use.

Griffin was relied on by the Examiner as merely disclosing filtering accounting records by removing erroneous data from raw accounting records, but does not disclose or suggest accounting records of a user’s Internet connection service usage of a network of the local Internet service provider where the user does not have an account with the local Internet service provider but has an account with the home Internet service provider.

2. Receiving and Transmitting Accounting Records over the Internet

Independent claims 31 and 32 further variously recite that (i) *the settlement server receives from the local Internet service provider over the Internet, accounting records of a user’s Internet connection service usage of a network of the local Internet service provider,* where the local Internet service provider is operated independently from the home Internet service provider of the user and the user does not have an account with the local Internet service provider but has an account with the home Internet service provider and connects to

the Internet via the local Internet service provider, and that (ii) the settlement server transmits the report of service usage to the home Internet service provider over the Internet.

As the Examiner agrees in the Office Action, Freese does not disclose or even suggest a settlement server receiving the accounting records of a user's Internet connection service usage from the local Internet service provider over the Internet, nor does Freese disclose transmitting the report of service usage to the home Internet service provider over the Internet. This inherently requires use of the above Internet protocols, among others. Rather, Freese merely discloses that the roam clearing house receives roam cellular telephone call records via an automatic dial-up telephone connection, *Freese, col. 8, lines 6-10*, and that the roam clearing house transmits tapes containing the roam call records to the appropriate service provider by *physical transfer*, *Freese, col. 5, lines 21-66*. The automatic dial-up telephone connection is a direct one-to-one connection between the cellular telephone administration system and the roam clearing house, and this is not through the Internet. Also, as agreed in the interview with the Examiner, claims 31 and 32 are amended herein to remove the "for ..." language that could allegedly be construed as an intended use.

Griffin also fails to disclose or suggest a settlement server receiving the accounting records of a user's Internet connection service usage from the local Internet service provider over the Internet, or transmitting the report of service usage to the home Internet service provider over the Internet.

Therefore, the deficient disclosures of Freese and Griffin thus fail to establish even a *prima facie* basis from which a proper determination of obviousness can be made. It is respectfully submitted that independent claims 31 and 32 are patentably distinct from Freese and Griffin.

Claims 33-35 and 36-38 depend from independent claims 31 and 32, respectively, and are also patentably distinct over Freese and Griffin for at least the same reasons as described above.

Rejection of Claims 46-48 under 35 U.S.C. §103(a)

In paragraph 6 of the office action, claims 46-48 were rejected as being obvious over Freese. This rejection is respectfully traversed.

Independent claim 46 recites that the settlement server receives, “from the local Internet service provider over the Internet, accounting records of a user’s Internet connection service usage of a network of the local Internet service provider, the local Internet service provider operated independently from the home Internet service provider of the user, the user not having an account with the local Internet service provider but having an account with the home Internet service provider and connecting to the Internet via the local Internet service provider.”

As explained above, Freese fails to disclose or even suggest (i) the concept of accounting records of a user’s Internet connection service usage of a network of the local Internet service provider where the user does not have an account with the local Internet service provider but has an account with the home Internet service provider, and (ii) the settlement server receiving such accounting records from the local Internet service provider over the Internet or transmitting the report of service usage to the home Internet service provider over the Internet. In addition, as agreed in the interview with the Examiner, claim 46 is amended herein to remove the “for ...” language that could allegedly be construed as an intended use.

The deficient disclosures of Freese thus fail to establish even a *prima facie* basis from which a proper determination of obviousness can be made. It is respectfully submitted that independent claim 46 is patentably distinct over Freese.

Claims 47-48 depend from independent claims 46, and are also patentably distinct over Freese for at least the same reasons as described above.

Allowable Subject Matter

Claims 21-30, 39-45, and 49-53 were allowed in the Office Action.

Conclusion

In sum, it is respectfully submitted that all pending claims 21-53 are in condition for allowance. Favorable action is solicited.

Respectfully Submitted,

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